

**MINUTES OF HAMILTON COUNTY COUNCIL, September 2, 2009
GENERALIZED SUMMARY**

President Levine called to order the regular session of the Hamilton County Council at 7:00:42 p.m. Those in attendance were Rick McKinney, Steve Schwartz, Meredith Carter, Judy Levine, John Hiatt, Jim Belden and Brad Beaver. A quorum was declared by Auditor Dawn Coverdale.

7:01:04 Councilor Carter gave the invocation and led the pledge of allegiance.

President Levine opened the public hearing for the 2010 county budget for public comments at 7:02:06 p.m.

See Public Hearing Minutes.

7:15:31 President Levine closed the public hearing on the 2010 Budget.

7:15:33 President Levine opened the regular session.

7:15:40 Councilor Beaver moved to approve the minutes of August 5th, 10th and 11th. Councilor Schwartz seconded the motion. Motion carried 6-0-1. Councilor McKinney abstained.

PUBLIC COMMENTS: None

COMMITTEE / OFFICER REPORT: 7:16:21

President: Councilor Levine

- Health Department will have a flu vaccination for council before their October meeting.
- Joint Session will be held on October 12th at 7:30 a.m. at Osprey Point.

Vice President: Councilor Carter

- No Report

Highway Committee: Councilor McKinney

- Items will be addressed later in the meeting.

Finance Committee: Councilor Beaver

- Councilor Carter stated that the Finance Committee will meet the week before the final adoption to see what action the Council will take. Councilor Beaver stated at this time the Council will cover the short fall with cash, while the Finance Committee looks at other options. Councilor McKinney is asking that everyone think of ways or a new approach of holding the line on spending. Mike Reuter stated that the Council needs to remember that the circuit breaker caps are set in place and the County will now be living on what the growth and assessed valuation is doing.

Personnel: Councilor Levine

- Items will be addressed later in the meeting.

MISCELLANEOUS: 7:19:18

None

COMMISSIONER UPDATE: 7:19:14

Commissioner Assistant Fred Swift

- New Health Department will be open September 11, 2009.
- Commissioners are continuing to help small fire departments find a resolution to the funding problem.
- Retreat agenda will be: 1) Fire District; 2) Retiree Unfunded Liability and 3) EMS

Councilor Hiatt moved to amend the 2009 and 2010 144 for ISS Department to pay two people from one line item. 101.020.000.1001 for \$88,263. Sheena Randall reported that this request will be covered by transfer of funds within the ISS budget. Councilor Belden seconded the motion. Motion carried 7-0.

UNFINISHED/TABLED BUSINESS: 7:20:20

Councilor Belden moved to approve Ordinance 08-05-09-A: "Bond Ordinance Authorizing Sale of 2009 Park Bond Issue." Councilor Schwartz seconded the motion. Motion carried 6-1. Councilor Beaver against.

Councilor Levine opened the public hearing regarding an additional appropriation of the proceeds of Hamilton County, Indiana, General Obligations of 2009.

No public comments.

Councilor Levine closed the public hearing.

Councilor McKinney moved to adopt Ordinance 09-02-06-A "An Ordinance of the Hamilton County Council of Hamilton County, Indiana, Regarding an Additional Appropriation of the Proceeds Of Hamilton County, Indiana, General Obligations of 2009." Councilor Belden seconded the motion. Motion carried 6-1. Councilor Beaver against.

NEW BUSINESS

7:30:42: Councilor Carter moved to approve claims. Councilor Hiatt seconded the motion. Motion carried 7-0.

EMPLOYEE VACANCIES: 7:31:15

7:31:18: Councilor Belden moved to allow hiring of Prosecutor IV-D 265.000.000.1313 at \$30,000. Councilor Hiatt seconded the motion. Motion carried 7-0.

7:32:11: Councilor Belden moved to allow hiring of Juvenile Services 101.017.000.1076 and 101.017.000.1081 Youth Care Specialist minimum \$28,659 and two part time vacancies. Councilor Levine seconded the motion. Motion carried 6-1. Councilor McKinney against.

7:38:16: Councilor Carter moved to allow hiring of Jail 101.027.1033 Nurse minimum \$36,672. Councilor Levine seconded the motion. Motion carried 7-0.

SEPTEMBER RESOLUTIONS: 7:42:18

7:42:22: Councilor Carter moved to adopt Resolution 09-02-09-01 "A Resolution Concerning The Purchase of Real Estate For The Small Structure 32072 Improvement Project." Councilor McKinney seconded the motion. Motion carried (7-0).

7:43:03: Councilor Belden moved to approve an inter-local agreement with the Indiana State Police for a remote Andros bomb disposal robot. Councilor Hiatt seconded the motion. Motion carried 6-0-1. Councilor McKinney abstained.

7:47:28: Councilor Belden resolved to approve Parks line item 106.000.000.4028 Cool Creek Mitigation for \$57,714. Councilor McKinney seconded the motion. Motion carried 7-0

7:48:09: Councilor McKinney moved to adopt the 2010 Council Budget Calendar with an April 14th amendment. Councilor Levine seconded the motion. Motion carried 7-0

ADDITIONAL APPROPRIATIONS:

7:50:04: Councilor Levine opened the public hearing concerning additional appropriations. There were no public comments.

7:50:30: Councilor Belden move to approve Clerk County General Fund additional appropriation request in line item 101.009.000.3601 Postage for \$50,000. Councilor Levine seconded the motion. Motion carried 7-0.

7:54:30: Councilor Hiatt moved to approve Commissioner County General Fund additional appropriation request in line item 101.011.000.3713 Contractual Services for \$50,000. Councilor Belden seconded the motion. Motion carried 6-1. Councilor McKinney against.

8:03:50: Councilor Hiatt moved to approve Jail County General Fund additional appropriation request in line item 101.027.000.2005 Food for \$80,000. Councilor Carter seconded the motion. Motion carried 7-0.

8:04:12: Councilor McKinney moved to approve County General Jail additional appropriation request in line items: 101.031.000.1313 PT –DPA for \$7,600. Councilor Hiatt seconded the motion. Motion carried 7-0.

8:04:56: Councilor Carter moved to approve Health Fund additional appropriation request in line item 105.000.000.2024 Personal Health for \$7,000. Councilor Levine seconded the motion. Motion carried 7-0.

8:05:36: Councilor Schwartz moved to approve Cumulative Capital Development Fund additional appropriation request in line item 201.011.000.4023 Relocation of Assessor Staff for \$59,694. Councilor McKinney seconded the motion. Motion carried 7-0.

8:06:10: Councilor Beaver moved to approve Highway COIT Fund additional appropriation requests in line items 283.000.000.3954 146th Street West Design for \$500,000; 283.000.000.4608 206th Street from Hague to SR 19 for \$50,000; 283.000.000.4610 206th Street from SR 19 to Cumberland Road for \$65,000 and 283.000.000.4952 Intersection 136th Street and Prairie Baptist Road for \$130,000. Councilor McKinney seconded the motion. Motion carried 7-0.

8:10:19: Councilor Hiatt moved to approve Park Non-Reverting Fund additional appropriation line item 354.000.000.3713 Contractual Services for \$37,000. Councilor Schwartz seconded the motion. Motion carried 7-0.

8:10:44: Councilor Schwartz moved to approve Prosecutor Deferral Fund additional appropriation request in line item 378.000.000.3601 Postage for \$4,000. Councilor Carter seconded the motion. Motion carried 7-0.

ANNOUNCEMENTS: 8:11:00

AUDITOR'S COMMENTS 8:11:01

- 8:11:04: Councilor Schwartz moved to approve Inter-local Agreement with City of Carmel and Hamilton County for intersection of 106th Street and Ditch Road. Councilor McKinney seconded the motion. Motion carried 7-0.
- 8:13:51: Councilor Belden moved to approve Highway COIT Fund transfer request line item 283.000.000.3954 146th Street West Design for \$500,000 to line item 283.000.000.4832 146th Street West for \$500,000. Councilor McKinney seconded the motion. Motion carried 7-0.

SHERIFF COMMENTS: 8:14:00

- 8:14:25: Councilor McKinney moved to allow the Hamilton County Sheriff to fill his part time vacancies as they occur without coming to Council for approval. Councilor Belden seconded the motion. Roll call: Councilor McKinney yes; Councilor Schwartz no; Councilor Carter yes; Councilor Hiatt yes; Councilor Belden yes; Councilor Beaver abstained and Councilor Levine yes. Motion carried 5-1-1. Councilor Schwartz against. Councilor Beaver abstained.
- 8:22:47: Sheriff Carter introduced Elaine Beatty with McCready and Keene, to answer any questions regarding the police pension. Councilor Beaver asked if a police pension loses money does the County have to make up the loss. Ms. Beatty stated that the state legislature decided what type of retirement program would be provided. The state legislature, in 1972 adopted the merit act. This Merit Act established a merit board in each county, a retirement system to cover merit employees. These boards then decided what type of benefits would be provided under this program. Each county has established the retirement systems for their Sheriff's Departments. Each county has a trust to hold the investments, to do the investing and make payments to pensioners as well as receiving deposits. The individuals who are the Administrative Committee to be over site is the Sheriff and the Merit Board. The Sheriff and Merit Board then hire professionals to do the investing. McCready and Keene has nothing to do with the investing of funds. McCready does the reporting once a year in accordance with state standards. In 2008 the fund lost 13% which is less than a national average (20-30%). Councilor Levine asked if the statute specifically says county's have to make up losses. Ms.

Beatty stated that the statute defines three types of increases to the fund each year. They are: 1) Contributions from members; 2) Contributions from the county and 3) from the investments. The statute does say that member contributions are specific designed well in advance. A company will once a year determine the funded status of the program. There is a minimum annual contribution that is specified as to what will be paid each year. McCready has recommended an amount that will cover the shortfall for 2010. Councilor McKinney stated he has read the statute and a County has the option to under fund the pension for three years. If this occurs in the third year the plan is liquidated and it would have to be started over. Ms. Beatty stated that McCready will never say the plan should be underfunded. Auditor Coverdale reported that there is over \$700,000 in Fund 374 County Police Pension Fund. County Attorney, Mike Howard, is drafting an ordinance that will abolish the County Police Pension Fund and these monies will be directly receipted into the County General Fund to offset the cost of the sheriff pension line item. Councilor Beaver moved that this item be given to Finance Committee to discuss. Councilor McKinney seconded the motion. Motion carried 7-0.

ANNOUNCEMENTS: 8:41:00

- Councilor Carter moved to increase the Janus Transportation 2010 line item by \$89,811. Councilor Levine seconded the motion. Roll call vote: Councilor McKinney yes; Councilor Schwartz yes; Councilor Carter yes; Councilor Levine yes; Councilor Hiatt yes; Councilor Belden yes and Councilor Beaver yes. Motion carried 7-0.

8:45:00: Councilor Belden moved to adjourn meeting. Meeting was duly adjourned.

Those present:

Jeanette Kassabaum, Council Attorney
Robin M. Mills, Chief Deputy Auditor
Allen Patterson, Parks
Cameron Ames, Student
Stephen Demetus, Student
Brad Davis, Highway Director
Mark Bowen, Major
Thurl Cecil, Coroner
Mike Howard, County Attorney
Joel Thurman, Highway Engineer
Tim Garner, Sheriff Department

Dawn Coverdale, Auditor
Doug Carter, Sheriff
Elaine Beatty, McCready & Keene
Floyd Miles, Student
Nick Cathcart, Student
Fred Swift, Commissioner Assistant
Sonia Leerkamp, Prosecutor
Sheena Randall, HR
Mike Reuter, Financial Consultant
Cheryl Garner, Sheriff Department

President

Auditor